

REMARKS

The claims have not been amended. Accordingly, claims 1-34 are currently pending in the application, of which claims 1, 8, 23, and 29 are independent claims. Applicant requests reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

Rejections Under 35 U.S.C. § 102

Claims 1, 3, 4, 6-24, 26 and 29-30 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 6,064,978 issued to Gardner, *et al.* ("Gardner"). Applicant respectfully traverses this rejection for at least the following reasons.

In order for a rejection under 35 U.S.C. § 102(b) to be proper, a single reference must disclose every claimed feature. To be patentable, a claim need only recite a single novel feature that is not disclosed in the cited reference. Thus, the failure of a cited reference to disclose one or more claimed features renders the 35 U.S.C. § 102(b) rejection improper.

The Office Action fails to establish a *prima facie* case of anticipation at least because Gardner fails to disclose every claimed feature.

Claim 1 recites, *inter alia*:

- (c) receiving evaluation data for the question from a second user and an operator of the web page;
- (d) calculating evaluation result data, using the processor, by reflecting the evaluation data; and
- (e) providing the evaluation result data on the web page in association with the question

The Office Action first relies upon Gardner's computer network to teach the processor, and then relies upon Gardner's computer network to teach an operator (pages 2-3). The

processor and the operator are each elements of claim 1. Hence, the computer network of Gardner cannot be relied upon to teach both the processor and the operator.

Further, the Office Action relies upon Gardner's comments and question points to teach the evaluation data (page 2), and points to col. 3, lines 57-60 to teach "providing the evaluation result data on the web page in association with the question" (page 3). Gardner discloses that "[a] question list 200 is displayed, with corresponding question point values 202 (the value N chosen in step 100)" (col. 3, lines 58-60). Gardner teaches providing the question points, which are relied upon to teach the evaluation data, on the web page. Thus, Gardner does not teach "providing the evaluation result data on the web page in association with the question" (emphasis added).

The Office Action should also be withdrawn because it contains a new ground of rejection not necessitated by Applicant's amendment. The Office Action now relies upon Gardner's comments and question points to teach the evaluation data (page 2). In the Non-Final Office Action dated September 2, 2010, however, the Office Action first relies upon the comments of Gardner to teach the evaluation data, and then relies upon the question points of Gardner to teach the evaluation data (page 3). Hence, the Office Action contains a new ground of rejection not necessitated by Applicant's amendment, and it should be withdrawn for at least this reason.

Therefore, Gardner fails to disclose each and every claimed feature of claim 1 for at least these reasons.

Claim 8 recites, *inter alia*:

if a plurality of answers are input, receiving votes for the answers from a third user for a predetermined voting period; and

increasing polling score, using the processor, corresponding to the answers in response to the input of the votes

The Office Action relies upon the answer evaluation system to teach the third user (page 4). Although claim terms are given their broadest reasonable interpretation, that interpretation must be consistent with the specification, and it “*must also be consistent with the interpretation that those skilled in the art would reach*” MPEP § 2111 (emphasis added). A person of ordinary skill in this art would not interpret an answer evaluation system to be a “user”, as the Office Action suggests. Thus, it is a completely unreasonable and unfair reading of the claims to rely upon the answer evaluation system to teach the third user of claim 8.

Further, the Office Action cites column 1, lines 61-65 to teach “if a plurality of answers are input, receiving votes for the answers from a third user” (page 4). Gardner discloses that “[t]he answer evaluation system combines the quantitative evaluation with the number of question points assigned by the asker to the question, to compute an award of answer points, which award is given to the answerer” (col. 1, lines 61-65). A person of ordinary skill in this art would not interpret the computed award as being “votes”. The Office Action also states that “asker A determines if any more comments are needed to complete the answer’ is the voting period, col. 3, ll. 40-45” (page 4). First, the comments needed to complete the answer have no relation to a specified period of time. Second, even if the comments needed to complete the answer may teach a voting period, the comments needed to complete the answer are completely unrelated to the time for computing an award of answer points by the answer evaluation system. Hence, Gardner does not teach “if a plurality of answers are input, receiving votes for the answers from a third user for a predetermined voting period.”

In addition, the Office Action relies upon the numerical score of Gardner to teach the polling score of claim 8 (page 4). Gardner discloses that “A assigns a quantitative evaluation, e.g. a letter grade or numerical score, to each of the comments that were deemed to constitute an answer or part of an answer in step 106” (col. 3, lines 34-37). However, the numerical score is determined by A, not by the answer evaluation system. Even if Gardner may be relied upon

to teach receiving votes, Gardner does not teach “increasing polling score, using the processor, corresponding to the answers in response to the input of the votes.”

The Office Action should also be withdrawn because it contains a new ground of rejection not necessitated by Applicant’s amendment. The Office Action now cites column 1, lines 61-65 and column 3, lines 40-45 to teach “if a plurality of answers are input, receiving votes for the answers from a third user for a predetermined voting period” (page 4). In the Non-Final Office Action dated September 2, 2010, however, the Office Action fails to address these features (pages 4-5). Hence, the Office Action contains a new ground of rejection not necessitated by Applicant’s amendment, and it should be withdrawn for at least this reason.

Therefore, Gardner fails to disclose each and every claimed feature of claim 8 for at least these reasons.

Claim 23 recites, *inter alia*:

if the period has elapsed, receiving input for adopting the answer and evaluation data for the adopted answer from the first user; and
increasing point data, using the processor, associated with the second user who input the adopted answer based on the evaluation data

In the **Response to Arguments**, the Office Action states that “‘question asker A publishes a question and assigns question points’ + ‘comments relevant to the question’ is input for adopting the answer and evaluation data” (pages 16-17). However, as shown in steps 100, 104, Gardner teaches “receiving input for adopting the answer and evaluation data for the adopted answer from the first user” before the answer is completed in step 110 (Fig. 1). Thus, Gardner does not teach “receiving input for adopting the answer and evaluation data for the adopted answer from the first user” if a period for receiving answers has elapsed.

The Office Action should also be withdrawn because it contains a new ground of rejection not necessitated by Applicant’s amendment. The Office Action now cites column 3, lines 8-9, 21-24, and 38-39 to teach “if the period has elapsed, receiving input for adopting the

answer and evaluation data for the adopted answer from the first user; and increasing point data, using the processor, associated with the second user who input the adopted answer based on the evaluation data” (page 17). In the Non-Final Office Action dated September 2, 2010, however, the Office Action states that “[c]laim 23 recites the same or similar limitations as those addressed above for claim 8. Claim 23 is therefore rejected for the same reasons as set forth above for claim 8, respectively” (page 9). Hence, the Office Action contains a new ground of rejection not necessitated by Applicant’s amendment, and it should be withdrawn for at least this reason.

Therefore, Gardner fails to disclose each and every claimed feature of claim 23 for at least these reasons.

Claim 29 recites, *inter alia*:

- (e) receiving a recommendation for the knowledge data from a third user; and
- (f) providing the recommendation on the web page in association with the knowledge data

The Office Action cites to column 5, lines 1-5 to teach steps (e) and (f) of claim 29 (page 10). Gardner discloses that “answerers receive formal recognition of their contribution, e.g. a business letter expressing appreciation for their assistance, and a WWW page acknowledging them, an example of which is shown in FIG. 7” (col. 5, lines 1-5). The steps of “receiving a recommendation” and “providing the recommendation” are each positively recited elements of claim 29. Hence, the formal recognition in a business letter and a WWW page as taught by Gardner cannot be relied upon to teach both steps (e) and (f).

Further, Office Action fails to address all features of claim 29. Specifically, the Office Action does not explain which portions of Gardner are relied upon to teach the features of “a third user.” Applicants further submit that Gardner fails to teach or suggest at least “receiving a recommendation for the knowledge data from a third user.”

Therefore, Gardner fails to disclose each and every claimed feature of claim 29 for at least these reasons.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 102(b) rejection of claims 1, 8, 23, and 29. Claims 2-7 and 33 depend from claim 1 and are allowable at least for this reason. Claims 9-22 depend from claim 8 and are allowable at least for this reason. Claims 24, 26, and 28 depend from claim 23 and are allowable at least for this reason. Claims 25 and 27 depend from claim 8 or 23 and are allowable at least for this reason. Claims 30-32 depend from claim 29 and are allowable at least for this reason. Since none of the other prior art of record discloses or suggests all the features of the claimed invention, Applicant respectfully submits that independent claims 1, 8, 23, and 29, and all the claims that depend therefrom, are allowable.

Rejections Under 35 U.S.C. § 103

Claims 2, 5, 25, 27, 28, and 31-33 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Gardner in view of U.S. Patent Application Publication No. 2003/0163356 applied for by Marks, *et al.* ("Marks"). Applicant respectfully traverses this rejection for at least the following reasons.

Applicant respectfully submits that claims 1, 8, 23, and 29 are allowable over Gardner, and Marks fails to cure the deficiencies of Gardner noted above with regard to claims 1, 8, 23, and 29. Hence, claims 2, 5, 25, 27, 28, and 31-33 are allowable at least because they depend from allowable claim 1, 8, 23, or 29.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2, 5, 25, 27, 28, and 31-33.

Dependent Claims

Without disclaiming the independent patentability of any dependent claim, claims 9, 12, and 15 are separately patentable over the prior art of record.

Claim 9 recites, *inter alia*:

further comprising providing the polling score on the web page in association with the answers

In the **Response to Arguments**, the Office Action states that “Gardner et al teach this limitation via displaying on a WWW page a question list [with corresponding question point values] (Fig. 2, col. 3, ll57-60)” (page 17). The Office Action relies upon the numerical score of Gardner to teach the polling score of claim 8 (page 4). Gardner discloses that “[a] question list 200 is displayed, with corresponding question point values 202 (the value N chosen in step 100)” (col. 3, lines 58-60). Gardner teaches providing the question points, not the numerical score, on the web page. Thus, Gardner does not teach “further comprising providing the polling score on the web page in association with the answers.”

Claim 12 recites, *inter alia*:

receiving the votes comprises receiving the votes for the answers from the third user if the answer period has elapsed

The Office Action cites column 3, lines 40-45 of Gardner as teaching these features (page 5). The Office Action also states that “‘asker A determines if any more comments are needed to complete the answer’ is the voting period, col. 3, ll. 40-45” (page 4). The voting period and the answer period are each positively recited elements of the claims. Hence, column 3, lines 40-45 of Gardner cannot be relied upon to teach both the voting period and the answer period.

Claim 15 recites, *inter alia*:

wherein if the polling score corresponding to the answers is less than predetermined polling score after the voting period has elapsed, not adopting an answer and displaying that there is no adopted answer

As noted above, the Office Action relies upon the numerical score of Gardner to teach the polling score of claim 8. Gardner discloses that “A assigns a quantitative evaluation, e.g. a letter grade or numerical score, to each of the comments that were deemed to constitute an answer or part of an answer in step 106” (col. 3, lines 34-37). In Gardner, each answer or comment is given a numerical score. Gardner does not teach not adopting an answer because of a low numerical score. Thus, Gardner does not teach “wherein if the polling score corresponding to the answers is less than predetermined polling score after the voting period has elapsed, not adopting an answer and displaying that there is no adopted answer.”

CONCLUSION

A full and complete response has been made to the pending Office Action, and all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, all pending claims are allowable, and the application is in condition for allowance.

The Examiner is invited to contact Applicant's undersigned representative at the number below if it would expedite prosecution. Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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